SINGLE BENCH

(4)

OF 4002

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT

BILASPUR

W. P. (S) NO. 308 / 2007

Petitioners : 1 Krishnalal Kaushik
S/o Late Lakhan Prasad,
Aged about 57 years,
Upper Division Teacher,
Govt. Girls Higher Secondary School,
Janjgir, Block - Navagarh, Dist : Janjgir Champa-(C.G.)

P.R. No. 2091 A.S. Bilaspur
Presented on 8.11.07
dated

2. Smt. Naumi Aruna Singh
W/o Shri Vijay Amar Singh,
Aged about 58 years,
Upper Division Teacher,
Govt. Girls Higher Secondary School,
Janjgir, Block - Navagarh, Dist : Janjgir Champa-(C.G.)

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3. Chedilal Gopal
S/o Shri Budhram Yadav
Aged about 60 years,
Upper Division Teacher,
Govt.(Bahu) Higher Secondary School
Janjgir, Block - Navagarh, Dist : Janjgir Champa-(C.G.)

OATH COMMISSIONER
APARNA MALVIYA
Bilaspur Chhattisgarh
8/8/08

4. Ram Sarkar Rathore
S/o Late Bahoranlal,
Aged about 54 years
Upper Division Teacher,
Govt. (Bahu) Higher Secondary School, Janjgir, Block - Navagarh, Dist : Janjgir Champa-(C.G.)

Versus

Respondents :1. State of Chhattisgarh
Through The Secretary Education Department, Mantralaya, D.K.S. Bhawan, Raipur-(C.G.)

2. The Director,
Public Instruction Chhattisgarh
Government Raipur.

3. The District Education Officer,
Dist : Janjgir Champa-(C.G.)

4. The Block Education Officer,
Block - Navagarh,
Dist : Janjgir Champa-(C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF SUITABLE WRIT, WRITS, DIRECTION ETC TO DO JUSTICE IN THE MATTER.

(34)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (s) No. 308 of 2007

Petitioners : Krishnalal Kaushik and others

Versus

Respondents : State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri.

Mr. Anil Singh Rajput, Advocate for the Petitioners.
Miss Sunita Jain, Panel lawyer for the respondents/State.

ORDER

(Passed on 22nd Day of January, 2007)

1. Learned counsel appearing for the petitioners submits that the petitioners were appointed as Upper Division Teachers in Government schools way-back. After completion of 12 years of their services, they have been granted First Krammonati. The petitioners are entitled to Second Krammonati after completion of 24 years.

2. The counsel has referred to the Circular dated 24.4.2006 (Annexure P/3), whereunder it appears that the teachers are entitled to Second Krammonati w.e.f. 1.8.2003 in case they have completed 24 years of services before that date and the benefit of the same would be made available w.e.f. March, 2006 (payable in April, 2006)

35

3. Learned counsel appearing for the respondents/State relied on the said circular and submits that a blanket order cannot be passed. The case has to be considered individually in the light of the said circular.

4. In view of foregoing submissions and circulars dated 19th April, 1999 (Annexure P/2) and 24.4.2006 (Annexure P/3), this petition is allowed to the extent of making representations before the concerned authorities to consider their cases, in accordance with law, on its own merit. The representations, if so made, may be considered within a period of six weeks from the date of receipt of the representations. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu